

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
(Wheeling)**

DIANA MEY and PHILIP CHARVAT,
individually and on behalf of a class of all
persons and entities similarly situated,

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC.,
and JOHN DOE 1,

Defendants.

Case No. 5:18-CV-123-JPB

STIPULATED NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)A(ii), Plaintiffs and Defendant Charter Communications, Inc., by and through undersigned counsel, file this Stipulated Notice of Voluntary Dismissal Without Prejudice.

1. Federal Rule of Civil Procedure 41(a)(1)A(ii) permits the Plaintiffs to voluntarily dismiss an action without court order by filing “a stipulation of dismissal signed by all parties who have appeared.”
2. Plaintiffs and Defendant Charter Communications, Inc. are the only parties to have appeared in this action.
3. Plaintiffs and Defendant Charter Communications, Inc., agree and stipulate to voluntarily dismiss without prejudice this action and all claims against Charter Communications, Inc.
4. Because no class has been certified, this voluntary dismissal does not implicate the concerns of Rule 23(e).

IT IS SO STIPULATED, THROUGH THE UNDERSIGNED.

DATED: June 3, 2019

Respectfully submitted by,

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**UNITED STATE DISTRICT COURT
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DIANA MEY and PHILIP CHARVAT, individually
and on behalf of a class of all persons and
entities similarly situated,

Plaintiffs,

vs.

Case No. 5:18-cv-123-JPB

CHARTER COMMUNICATIONS, INC., and
JOHN DOE 1,

Defendants.

CERTIFICATE OF SERVICE

I, John W. Barrett, hereby certify that on June 3, 2019, I served a true and correct copy of “*Stipulated Notice of Voluntary Dismissal Without Prejudice*” by e-mail, regular mail and that the Certificate of Service was filed with the Clerk of Court using the CM/ECF System, which caused a true and accurate copy of such filing to be served upon the following counsel of record:

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